



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

DEC 06 2000

OFFICE OF
THE REGIONAL ADMINISTRATOR

Mr. James Johnson
Chief of Planning and Policy Division
U.S. Army Corps of Engineers
441 G Street, NW
Washington, DC 20314-1000

Dear Mr. Johnson:

RE: Review of the Chesterfield Valley Feasibility Study Report with Integrated Final Environmental Impact Statement in St. Louis County, Missouri

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the Chesterfield Valley Feasibility Study Report dated October 2000. The FEIS was assigned the Council on Environmental Quality (CEQ) number 000377.

We have reviewed the information presented in the FEIS with regard to the environmental objections EPA had with the Draft Environmental Impact Statement (DEIS). In our September 20, 2000 DEIS rating letter, we assigned the DEIS a rating of "EO-2" (Environmental Objections - Insufficient Information). We were disappointed with the Corps' answers to EPA's objections and concerns in their response letter to EPA dated October 20, 2000 (which is also included in the FEIS). We believe three significant environmental issues remain that are not adequately addressed: 1) cumulative impacts; 2) floodplain management and values; and 3) project alternatives.


Given the insufficient treatment of these three issues in the FEIS, reasons do indeed exist to recommend an alternative other than the National Economic Development (NED) plan, as proposed in the FEIS, and allowed by the Corps' own guidance. EPA, again, recommends that the Corps explore other alternatives such as: non-structural remedies that provide indefinite long-term solutions; an alternative combining non-structural and structural plans; or an alternative that ensures that the current levee meets federal standards (100 year, with adequate seepage controls). A 100 year levee, with seepage controls, would satisfy the projects' Purpose and Need more clearly and would be less likely to drive a need for adjacent levee improvements, thereby

reducing adverse cumulative effects in the region. In order to properly address cumulative impacts, the Corps should take this opportunity to conduct a more comprehensive study of the Lower Missouri River, which is well within the authority and scope of this project and at the same time would assist the Corps in analysis of future projects and Section 404 permit applications.

The Corps' position, (as conveyed in the responses to EPA's and other resource agencies comments), continues to be contrary to the intent of Executive Order 11988, Floodplain Management. By recommending the 500-year + 3-foot levee, the Corps is actively promoting floodplain development. As proposed, this project ignores floodplain values, would increase wetland loss, reduce wildlife habitat, and significantly increase adverse cumulative effects, such as raising river stages and inducing flooding, throughout the region.

EPA also disagrees with the "Future Without Project Conditions" as stated in the FEIS. It is obvious that the future-without project condition will be the same as the future-with project condition, i.e., a 500-year + 3-foot levee, because the project sponsor has completed half of the 500-year + 3-foot levee already, fully intends to complete the construction regardless of any federal involvement, and has even raised the funds needed to complete the project without federal financial assistance. Therefore, if the Corps were to perform a revised economic analysis to reflect these facts, it would likely show that Plan A, the No-Action plan, is the National Economic Development (NED) Plan and the Environmental Quality Plan, and should therefore be the Corps' Recommended Plan, according to the Corps' own guidance. To ignore this dichotomy in planning rationale would circumvent responsible environmental impact analysis, and could lead to a unjustified expenditure of federal funds.

In conclusion, EPA wishes to express its continuing objections to this project (as proposed), and urges the Corps to reconsider its recommended action. While EPA supports reducing flooding damages to residents and businesses in flood prone areas, we also believe that approaches other than large levees exist which can satisfy long-term goals and best serve in the interest of the Nation. If you have any questions regarding this letter, please contact Royce B. Kemp at (913)551-7551.

Sincerely,

Dennis Grams, P.E.
Regional Administrator